

SENATE BILL 493

F1, F2, F5

6lr1521
CF HB 1410

By: **Senators Pinsky, Conway, King, ~~and Madaleno~~ Madaleno, and Middleton**

Introduced and read first time: February 3, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2016

CHAPTER _____

1 AN ACT concerning

2 **Teacher Induction, Retention, and Advancement Act of 2016**

3 FOR the purpose of altering the maximum amount of a certain State stipend awarded to
4 certain teachers or other school-based employees who hold certain certificates and
5 who teach in certain public schools; requiring certain public schools to utilize certain
6 teachers in certain leadership roles; establishing the Teacher Induction, Retention,
7 and Advancement Program; authorizing each county board of education to choose to
8 participate in the Program; requiring a county board to select certain teachers to
9 participate in the Program; requiring certain teachers to be afforded a certain
10 amount of time to be spent on mentoring, peer observation, assistance with planning,
11 or other preparation activities under the Program; prohibiting a certain amount of
12 time from including student supervision or administrative responsibilities;
13 authorizing a certain amount of time to include support from certain teachers under
14 certain circumstances; requiring a certain county ~~boards of education~~ board
15 to provide certain information regarding the availability of certain resources to ~~be~~
16 ~~provided to~~ certain teachers; providing for the sharing of certain costs incurred under
17 a certain program; requiring the Governor to include annually a certain
18 appropriation in the State budget; providing for the use of certain funds under a
19 certain program; requiring the State Department of Education to develop certain
20 criteria; requiring the Department to disburse certain funds subject to certain
21 provisions of law; specifying the intent of the General Assembly; defining certain
22 terms; requiring the Department to convene a certain workgroup and submit certain
23 reports on or before certain dates; providing for the termination of certain provisions
24 of this Act; and generally relating to the induction, retention, and advancement of
25 public school teachers.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,
2 Article – Education
3 Section 6–306(a)
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2015 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Education
8 Section 6–306(b)(2) and (5)
9 Annotated Code of Maryland
10 (2014 Replacement Volume and 2015 Supplement)

11 BY adding to
12 Article – Education
13 Section 6–117.1 and 6–306(b)(5)
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2015 Supplement)

16 Preamble

17 WHEREAS, Teacher turnover in Maryland remains a persistent problem, as it does
18 in many parts of the country; and

19 WHEREAS, Between 40% and 50% of all first year teachers will leave the profession
20 by the end of their fifth year of teaching; and

21 WHEREAS, A large amount of teacher turnover contributes to both school instability
22 and student instability, particularly in communities that are highly impacted by instances
23 of instability; and

24 WHEREAS, Teacher turnover is costly to local school systems, costing as much as
25 \$50,000 for every teacher leaving the system according to the National Center for Teaching
26 and America’s Future, for recruiting, inducting, and other personnel matters relating to
27 new teacher training; and

28 WHEREAS, There are almost 3,000 teachers in Maryland on whom National Board
29 Certification has been conferred; and

30 WHEREAS, There are 634 teachers in Maryland currently pursuing National Board
31 Certification; and

32 WHEREAS, In 2015, two new studies found that National Board Certified teachers
33 are more effective at advancing student learning than teachers who are not National Board
34 Certified, building on more than a decade of research finding similar results; and

1 WHEREAS, During the 2015 Legislative Session, a \$1,500 stipend that was required
2 to be awarded to public school teachers that hold an advanced professional certificate and
3 who teach in a public school having comprehensive needs was eliminated; now, therefore,

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
5 That the Laws of Maryland read as follows:

6 **Article – Education**

7 6–306.

8 (a) (1) In this section the following words have the meanings indicated.

9 (2) “County grant for national certification” means an annual grant
10 distributed to a teacher certified by the National Board for Professional Teaching
11 Standards established:

12 (i) Outside of the collective bargaining process; or

13 (ii) As part of a collective bargaining agreement with the local
14 employee organization.

15 (3) “School–based employee” means a certificated employee who works
16 directly with students or teachers at a public school.

17 (b) (2) A classroom teacher or other nonadministrative school–based employee
18 in a public school identified by the State Board as having comprehensive needs who holds
19 a standard professional certificate or an advanced professional certificate who is employed
20 by a county board and who holds a certificate issued by the National Board for Professional
21 Teaching Standards shall receive a stipend from the State in an amount equal to the county
22 grant for national certification, up to a maximum of [~~\$2,000~~] **\$5,000** per qualified
23 individual.

24 **(5) TO THE MAXIMUM EXTENT PRACTICABLE, EACH PUBLIC SCHOOL**
25 **SHALL UTILIZE TEACHERS WHO HAVE OBTAINED NATIONAL BOARD CERTIFICATION**
26 **IN LEADERSHIP ROLES WITHIN THE SCHOOL.**

27 ~~[(5)]~~ **(6)** (i) 1. The State Board shall establish a program to
28 support locally negotiated incentives, governed under Subtitles 4 and 5 of this title, for
29 highly effective classroom teachers and principals to work in public schools that are:

30 A. In improvement, corrective action, or restructuring;

31 B. Categorized by the local school system as a Title I school;

32 or

1 C. In the highest 25% of schools in the State based on a
2 ranking of the percentage of students who receive free and reduced priced meals.

3 2. The program established under subsubparagraph 1 of this
4 subparagraph may include financial incentives, leadership changes, or other incentives.

5 (ii) 1. The State Board shall adopt guidelines to implement this
6 paragraph.

7 2. Nothing in this paragraph shall be construed to prohibit a
8 local school system from employing more stringent standards than the guidelines adopted
9 under this subparagraph.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
11 as follows:

12 **Article – Education**

13 **6–117.1.**

14 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
15 INDICATED.

16 (2) “FIRST YEAR TEACHER” MEANS A PUBLIC SCHOOL TEACHER WHO
17 HAS NOT PREVIOUSLY HAD ANY FULL–TIME TEACHING EXPERIENCE.

18 (3) “PROGRAM” MEANS THE TEACHER INDUCTION, RETENTION, AND
19 ADVANCEMENT PROGRAM.

20 (B) (1) THERE IS A TEACHER INDUCTION, RETENTION, AND
21 ADVANCEMENT PROGRAM IN THE STATE.

22 (2) (I) EACH COUNTY BOARD MAY CHOOSE TO PARTICIPATE IN THE
23 PROGRAM.

24 (II) A COUNTY BOARD SHALL SELECT THE FIRST YEAR
25 TEACHERS TO PARTICIPATE IN THE PROGRAM.

26 (C) (1) UNDER THE PROGRAM, EACH PARTICIPATING FIRST YEAR
27 TEACHER SHALL BE AFFORDED AT LEAST 20% MORE TIME THAN TEACHERS WHO
28 ARE NOT FIRST YEAR TEACHERS DURING THE ACADEMIC WEEK TO BE SPENT ON
29 MENTORING, PEER OBSERVATION, ASSISTANCE WITH PLANNING, OR OTHER
30 PREPARATION ACTIVITIES.

1 (2) THE ADDITIONAL TIME AFFORDED UNDER PARAGRAPH (1) OF
2 THIS SUBSECTION MAY NOT INCLUDE STUDENT SUPERVISION OR ADMINISTRATIVE
3 RESPONSIBILITIES.

4 (3) AT THE REQUEST OF A FIRST YEAR TEACHER MADE TO THE
5 PRINCIPAL OF A SCHOOL, THE ADDITIONAL TIME AFFORDED UNDER PARAGRAPH (1)
6 OF THIS SUBSECTION MAY INCLUDE SUPPORT FROM A VETERAN TEACHER.

7 (4) ~~EACH A COUNTY BOARD THAT HAS A PARTICIPATING FIRST YEAR~~
8 ~~TEACHER~~ SHALL PROVIDE EACH FIRST YEAR TEACHER PARTICIPATING IN THE
9 PROGRAM FROM THAT COUNTY WITH INFORMATION REGARDING RESOURCES
10 AVAILABLE TO THE FIRST YEAR TEACHER THAT MAY BE USED DURING THE
11 ADDITIONAL TIME THAT INCLUDE:

12 (I) MENTORING;

13 (II) PEER OBSERVATION; AND

14 (III) ASSISTANCE WITH PLANNING.

15 (D) ANY COSTS INCURRED UNDER THE PROGRAM SHALL BE BORNE 80% BY
16 THE STATE AND 20% BY THE COUNTY BOARD.

17 (E) (1) THE GOVERNOR ANNUALLY SHALL INCLUDE AN APPROPRIATION
18 OF \$7,000,000 IN THE STATE BUDGET FOR THE DEPARTMENT TO ADMINISTER THE
19 PROGRAM.

20 (2) THE DEPARTMENT SHALL DEVELOP CRITERIA BY WHICH FUNDS
21 SHALL BE ALLOCATED TO ~~LOCAL SCHOOL SYSTEMS~~ COUNTY BOARDS TO ALLOW
22 FIRST YEAR TEACHERS TO PARTICIPATE IN THE PROGRAM.

23 (3) (I) IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION,
24 AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT
25 SHALL DISBURSE FUNDS TO EACH COUNTY BOARD THAT HAS FIRST YEAR TEACHERS
26 PARTICIPATING IN THE PROGRAM.

27 (II) THE DEPARTMENT SHALL INCLUDE ANY COSTS INCURRED
28 BY A COUNTY BOARD IN MEETING THE REQUIREMENTS OF SUBSECTION (C) (3) AND
29 (4) OF THIS SECTION WHEN DISBURSING FUNDS TO A COUNTY BOARD.

30 (4) IT IS NOT THE INTENT OF THE GENERAL ASSEMBLY THAT
31 ENOUGH FUNDS BE PROVIDED TO ENSURE THAT EVERY FIRST YEAR TEACHER IN THE
32 STATE BE ABLE TO PARTICIPATE IN THE PROGRAM.

1 SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 1,
2 2021, the State Department of Education shall report to the Governor and, in accordance
3 with § 2–1246 of the State Government Article, the General Assembly regarding the
4 retention of first year teachers that participate in the Teacher Induction, Retention, and
5 Advancement Program. The report shall include the number of first year teachers who
6 participated in the Program and are still teaching 4 and 5 years after participating in the
7 Program, versus the number of teachers who were similarly situated first year teachers but
8 who did not participate in the Program and are still teaching 4 and 5 years later.

9 SECTION 4. AND BE IT FURTHER ENACTED, That:

10 (a) The State Department of Education shall convene a workgroup composed of
11 stakeholders from primary and secondary education, higher education, and other education
12 policy experts to determine how to:

13 (1) incorporate and interweave the principles of National Board
14 Certification with the Advanced Professional Certificate, Master of Education programs,
15 and other teacher preparation programs;

16 (2) make the teacher recertification process more valuable, including an
17 exploration of how to link recertification to career ladders and content or high need area
18 specializations;

19 (3) link loan forgiveness to teaching in high need schools; and

20 (4) incorporate induction best practices into professional eligibility
21 certificates.

22 (b) The workgroup established under subsection (a) of this section shall make
23 recommendations regarding:

24 (1) its findings under subsection (a) of this section; and

25 (2) legislative changes that will ensure that teacher preparation
26 academies, as authorized under the federal Every Student Succeeds Act, will be of the
27 highest quality and rigor if they are implemented in Maryland, and the individuals that
28 participate in these academies will be fully prepared and trained to be in a classroom in
29 Maryland.

30 (c) On or before September 1, 2016, the Department shall submit a report
31 regarding the recommendations of the workgroup established under this section to the
32 Governor and, in accordance with § 2–1246 of the State Government Article, the General
33 Assembly.

34 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July
35 1, 2016. Section 2 of this Act shall remain effective for a period of 6 years and, at the end of

1 June 30, 2022, with no further action required by the General Assembly, Section 2 of this
2 Act shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.